

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.81 OF 2017

Mr. Vishwas Laxman Gadade	Applicant
V/s.	
The State of Maharashtra	Respondent

Mr. Rajendra Sorankar, Advocate for Applicant.
Mr. K.V.Saste, APP for the Respondent-State.

**CORAM :- R.M. SAVANT &
SANDEEP K. SHINDE, JJ.**

DATE :- 22ND AUGUST, 2017.

PC. :-

By the above Criminal Application, the Applicant seeks to quash and set aside the FIR No.17 of 2013 registered with the Respondent, for quashing of the charge-sheet being filed in the said case. The FIR registered against the Applicant is for offences under Sections 7, 13(1) read with 13(2) of the Prevention of Corruption Act, 1988. Charge-sheet came to be filed sometimes in the year 2016 and additional charge-sheet thereafter came to be filed on 21.1.2017 and the offences which with the Applicant charged are the ones under Sections 465, 471 and 109 of IPC. The learned counsel for the

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Applicant would contend that save and except the allegations against the Applicant having obtained signature of one quarry owner, i.e., one Chirmude and 4 others, who have quarrying permit in their favour from the Collector, Raigad, there is no other allegations against the Applicant.

2 We have perused the FIR dated 29.10.2013. The Applicant at the relevant time was Circle Officer of the area wherein the mining operations were carried out by the said Chirmude. The immediate superior of the Applicant, i.e., the Tehsildar has been involved in a trap case in which the Complainant was the same Chirmude, who is having the quarry permit. The FIR vividly depicts the purposes for which signature on the blank paper was allegedly obtained by the Applicant. In our view, therefore, it cannot be said that there is absolutely no material against the Applicant for being proceeded with. We do not deem it appropriate at this stage to make any observation on merits lest the same affect the Applicant in the trial. Hence, no case for grant of any reliefs is made out. The above Criminal Application is accordingly rejected.

3 Needless to state that this order would not come in way of the Applicant from invoking the statutory remedies that are available under the Cr.P.C.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)